

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

-v-

ANDREY KOSTIN et al.,

Defendants.

Case No. 1:24-cr-00091 (GHW)

**DECLARATION OF DAVID C. RYBICKI IN
FURTHER SUPPORT OF DEFENDANTS VADIM WOLFSON'S
AND GANNON BOND'S JOINT OPPOSITION TO THE GOVERNMENT'S MOTION
FOR RULE 15 DEPOSITIONS**

Pursuant to 28 U.S.C. § 1746, I, David C. Rybicki, declare under oath as follows:

1. I am a partner at K&L Gates LLP and counsel to Vadim Wolfson.
2. I make this Declaration in support of Mr. Wolfson's and Mr. Bond's Joint Opposition to the Government's Motion for Rule 15 Depositions (the "Opposition").
3. On February 13, 2025, Assistant United States Attorney Emily Deininger ("AUSA Deininger") emailed me providing notice that the government intends to take Rule 15 depositions of [REDACTED] and [REDACTED].
4. On February 14, 2025, I requested that AUSA Deininger provide "the reasons for their unavailability."
5. On February 18, 2025, AUSA Deininger responded, "[w]ith regard to availability, we understand that [REDACTED] and [REDACTED] have scheduling conflicts that will not allow them to travel to the U.S. in June."

6. On February 20, 2025, I spoke with counsel for [REDACTED] and [REDACTED], [REDACTED]. During a telephone call, [REDACTED] indicated that [REDACTED] and [REDACTED] business was “global” in nature and that they planned to travel on business during June.

7. On March 17, 2025, I placed a follow-up telephone call with [REDACTED]. During that call, [REDACTED] confirmed that [REDACTED] and [REDACTED] have “preexisting business commitments” and “potential other obligations” that prevent them from appearing at trial in this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 17, 2025
Washington, D.C.

/s/ David C. Rybicki
David C. Rybicki